

# COUNTY OF YORK

## MEMORANDUM

**DATE:** July 1, 2003 (BOS Mtg. 08/05/03)  
**TO:** York County Board of Supervisors  
**FROM:** James E. Barnett, County Attorney  
**SUBJECT:** Correction of clerical error—amendment to County code § 4-5—Animal Control Ordinances

Ordinance No. 03-19, adopted on June 17, 2003, amended the County's animal control ordinances in a number of particulars. Among the changes were modifications to old County code § 4-3, renumbered as § 4-5, to bring it into conformance with state code. Unfortunately, while the proposed amendment posted on the County's website was complete, the version of the amendment that was included in the Board's agenda materials and which was actually adopted did not include proposed subsections (d) and (e). Those subsections specifically authorize the court, upon a finding of a violation of the ordinance, to require any person found guilty of cruelty to animals to attend an anger management or other similar treatment program, or to obtain psychiatric or psychological counseling, and further authorize the court to prohibit the offender from ownership of companion animals. Those provisions are set out in Code of Virginia § 3.1-796.122, and are not currently reflected in the County's code. In order to ensure that the local courts have the authority to impose such sentencing upon someone convicted of cruelty to animals under the County's code, I have prepared Ordinance No. 03-26 to add those provisions to County code § 4-5.

I recommend the adoption of Ordinance No. 03-26.

Barnett/3440:sw  
Attachment

- Ordinance No. 03-26